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Human rights situations that require the Council's attention

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Discrimination and Violence against indigenous women in Canada

Violence against missing and murdered indigenous women and young girls in Canada already created an atmosphere of mistrust and fear among the indigenous peoples towards police officers, who often react inappropriate to reports about harassment or missing persons among indigenous women or girls or even commit themselves acts of violence against indigenous women and girls. The numbers are alarmingly high. Despite the fact, that there is no lack of documentation of the gruesome facts, the government fails to react with the necessary urgency to put an end to this unbearable situation.

Organizations like the Native American Women Association of Canada (NWAC), Amnesty International Canada, Human Rights Watch and the grassroots organization Idle No More have collected and published data since many years. Well known are the inquiries in British Columbia, where reports about murders and disappearances of indigenous women and girls mainly come from along Highway 16, the so called Highway of Tears. But there are reports as well from cities like Winnipeg in Manitoba and other places all over Canada.

In 2014 alone reports of three major agencies were published: "Missing and Murdered Aboriginal Women: A National Operational Overview", published by the Royal Canadian Mounted Police (RCMP), "Invisible Women: A Call to Action. A Report on Missing and Murdered Indigenous Women in Canada" published by the Special Committee on Violence Against Indigenous Women in the House of Commons, and the Report of the Special Rapporteur on the rights of indigenous Peoples at the UN, James Anaya, on the "Situation of indigenous peoples in Canada". Another report by the Inter American Human Rights Commission was published in January 2015. They all give convincing proof of the grave situation of indigenous women and girls and provide with a number of recommendations; but nevertheless, there seem to be no effective measures taken yet on the side of the federal government to initiate a fundamental change of this situation.

Special rapporteur James Anaya called for a "comprehensive, nationwide inquiry into the issue of missing and murdered aboriginal women and girls, organized in consultation with indigenous peoples", (A/HRC/27/52/Add.2), that could provide an opportunity for the voices of the victims' families to be heard, deepen the understanding of the magnitude and systemic dimensions of the issue and identify best practices that could lead to an adequately coordinated response. Premier Stephen Harper on the other hand publicly declared that he does not regard a national inquiry into the subject being a necessity. To the victims' families this is a slap in their faces.

NAWC documented 582 cases of missing and murdered women between the 1960s and 2010, but 39 percent (or about 20 a year, one almost every second week) after the year 2000. The organization had to stop collecting data after a cut down of government funding in 2010, but published that same year the report "What their Stories tell us, Research findings from the Sisters in Spirit Initiative". RCMP-data even verify 1.017 cases of missed indigenous women and girls between 1980 and 2012; most victims were murdered and about 200 cases remained unsolved. While on average 83 percent of cases of all missing women in Canada were solved, this was only true for 53 percent of indigenous women's cases. And while only 4, 3 percent of the Canadian population are indigenous women, they amount to 11, 3 percent of the missing women.

There are many reports as well about police misconduct, abuse of indigenous women and girls, beatings, harassment, even rape and other sexual assault by police officers. Some of the victims are very young, only 15 or 17 years of age. Human Rights Watch ("Those who take us away, Abusive Policing and Failures of Indigenous Women and Girls in Northern British Columbia", Canada; 2013) even quotes two 12 year old girls, who reported of being tasered, pepper-sprayed or attacked with police dogs. Women and girls who were victims of this kind of treatment will always hesitate to ask police officers for help if help is needed, because there reigns an atmosphere of fear and distrust of indigenous women towards the police. Therefore, there is reason to believe that many cases of missing women and girls or police misconduct remain unreported.

Society for Threatened Peoples calls on the Human Rights Council to urge the Federal Government of Canada to follow the recommendations of the Special Rapporteur on the rights of indigenous Peoples at the UN, James Anaya, of Human Rights organizations like Human Rights Watch, Amnesty International or the Native American Women's Association of Canada and others without further delay:

- to initiate in cooperation with the indigenous communities affected a national inquiry on missing and murdered indigenous women and girls and on police misconduct
- to implement a national action plan with the leadership of indigenous communities that addresses the structural roots of the violence and the responsibilities of the government entities who are in charge of prevention and response to this violence
- to start programs for the training of police officers to counter racism and sexism in the treatment of women and girls (not only) in custody as well as for the improvement of police response to violence against indigenous women and girls and to guarantee that female indigenous persons are treated by female officers
- to provide adequate shelters and social services for indigenous victims of violence not only in urban areas but in rural areas as well and to guarantee sufficient funding for these structures